

O'HAGAN MEYER

ATTORNEYS & ADVISORS

Jeffrey M. Rosin

617.843.6800 OFFICE

617.843.6801 DIRECT

617.843.6810 FAX

jrosin@ohaganmeyer.com

VIA ECF

The Hon. Judge John G. Koeltl
U.S. District Judge, Southern District of New York (Foley Square)
40 Foley Square New York
Manhattan, New York, NY 10007

June 20, 2024

Dear Honorable Judge Koeltl:

**RE: *Erica Cardenas v. IMS Fund LLC*, Civil Action No. 1:24-cv-04041-JGK
Pre-Motion Conference Request Pursuant to Individual Rule II(B)**

Dear Honorable Judge Koeltl:

Defendant has sent an email to chambers attached hereto. As set forth therein, Defendant would like to bring to your immediate attention as follows:

Exhibit A annexed to Defendant's Letter Motion for Conference, DE #9, was inadvertently uploaded with the non-redacted version as opposed to the redacted version (redacting the Social Security Numbers and Date of Births). Even though the information was obtained from Tracers Public Records, out of an abundance of caution, Defendant respectfully requests that Exhibit A be temporarily sealed and made inaccessible to PACER users.

Pursuant to Rule 21.7 of the Electronic Case Filing Rules & Instructions, upon discovering the inadvertent error, on June 20, 2024¹, Defendant sent an email to Chambers, and copied to helpdesk@nysd.uscourts.gov requesting that Exhibit A be temporarily sealed and made inaccessible to PACER users. (See attached)

Likewise, pursuant to Rule 21.7 Defendant respectfully requests the Court formally seal Exhibit A to DE #9; and pursuant to Rule 21.7(c), Defendant is filing herewith the substitute redacted version of Exhibit A, which Defendant requests be substituted for the current unredacted Exhibit A to DE#9.

¹ The Court was closed on June 19th, 2024 for a national holiday.

Respectfully submitted,

Jeffrey M. Rosin

/s/ Jeffrey M. Rosin
Counsel for IMS Fund, LLC

Jeff Rosin

From: Jeff Rosin
Sent: Thursday, June 20, 2024 9:14 AM
To: koeltlnysdchambers@nysd.uscourts.gov
Cc: Andrew Schneiderman; ttran@tt-lawfirm.com; kaufman@kaufmanpa.com; Kathryn Vassall; helpdesk@nysd.uscourts.gov
Subject: Emergency Sealing Request - Case 1:24-cv-04041-JGK Cardenas v. IMS Fund LLC

Importance: High

Dear Chambers:

Pursuant to rule 21.7 of the Electronic Case Filing Rules & Instructions, Exhibit A attached to Defendant's Pre-Motion Conference Letter, DE #9, was inadvertently uploaded with the non-redacted version as opposed to the redacted version (redacting the Social Security Numbers and Date of Births). Even though the information was obtained from Tracers Public Records, out of an abundance of caution, Defendant respectfully requests that Exhibit A to DE #9 be temporarily sealed and made inaccessible to PACER users.

Contemporaneously with this notification, and pursuant to the Electronic Case Filing Rules and Instructions, Defendant will e-file a letter with the Court, requesting that Judge Koeltl issue an Order formally sealing Exhibit A to DE#9 by the Court. Furthermore, Defendant intends to electronically file a redacted version of Exhibit A.

We thank you for your prompt attention to this matter.

Respectfully,

Jeff Rosin
Counsel for IMS Fund LLC